

House File 37

HOUSE FILE _____
BY RAECKER and HUSER

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to electronic filing of campaign finance
2 organizational statements, dissolution reports, and disclosure
3 reports by candidates for statewide office or for the general
4 assembly, establishing a filing deadline for all statements
5 and reports, providing a penalty, and providing applicability
6 dates.
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
8 TLSB 1308YH 82
9 jr/je/5

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1 1 Section 1. Section 68A.401, subsection 1, Code 2007, is
1 2 amended to read as follows:
1 3 1. All statements and reports required to be filed under
1 4 this chapter shall be filed with the board as provided in
1 5 section 68A.402, subsection 1. The board shall provide copies
1 6 of all statements and reports filed under this chapter for a
1 7 county, city, school, or other political subdivision to the
1 8 commissioner responsible under section 47.2.

1 9 Sec. 2. Section 68A.401, subsection 1, Code 2007, is
1 10 amended by adding the following new paragraphs:

1 11 NEW PARAGRAPH. a. A candidate's committee of a candidate
1 12 for statewide office or the general assembly shall file all
1 13 statements and reports in an electronic format by five p.m.
1 14 of the day the filing is due and according to rules adopted by
1 15 the board. Any other candidate or political committee may
1 16 submit the statements and reports in an electronic format as
1 17 prescribed by rule.

1 18 NEW PARAGRAPH. b. All information submitted to the board
1 19 in an electronic format by twelve noon shall be accessible to
1 20 the public on the internet on the day the information is
1 21 filed. However, information that is filed on a Saturday,
1 22 Sunday, or after twelve noon on Friday shall be made available
1 23 on the internet by five p.m. on the following business day.

1 24 NEW PARAGRAPH. c. If the board determines that a
1 25 violation of this subsection has occurred, the board may
1 26 impose any of the remedies or penalties provided for under
1 27 section 68B.32D, except that the board shall not refer any
1 28 complaint or supporting information of a violation of this
1 29 section to the attorney general or any county attorney for
1 30 prosecution.

1 31 Sec. 3. Section 68A.402, subsection 1, Code 2007, is
1 32 amended to read as follows:

1 33 1. FILING METHODS. Each committee shall file with the
1 34 board reports disclosing information required under this
1 35 section on forms prescribed by rule. Reports shall be filed
2 1 on or before the required due dates by using any of the
2 2 following methods: mail bearing a United States postal
2 3 service postmark, hand-delivery, facsimile transmission, or
2 4 electronic filing as prescribed by rule. To be considered
2 5 timely filed, a statement or report under this chapter filed
2 6 by mail by a candidate or candidate's committee for statewide
2 7 office or the general assembly shall be postmarked with a
2 8 United States postal service postmark on or before the second
2 9 day prior to the due date that the statement or report is
2 10 required to be filed.

2 11 Sec. 4. Section 68A.403, subsection 1, Code 2007, is
2 12 amended to read as follows:

2 13 1. Unless filed in an electronic format in accordance
2 14 with section 68A.401, subsection 1, a report or statement
2 15 required to be filed under this chapter shall be signed by the

2 16 person filing the report.
2 17 Sec. 5. APPLICABILITY. The requirements of section
2 18 68A.401, subsection 1, paragraphs "a", "b", and "c", apply to
2 19 committees that file a statement of organization on or after
2 20 January 1, 2008, and all committees regardless of when they
2 21 filed their statement of organization, on January 1, 2010.

2 22 EXPLANATION

2 23 This bill institutes mandatory electronic filing of
2 24 campaign finance statements of organization, dissolution
2 25 reports, and disclosure reports by all candidates for
2 26 statewide office and for the general assembly. The required
2 27 electronic filing shall be made by 5:00 p.m. on the day the
2 28 filing is due; information filed by 12 noon shall be made
2 29 available to the public via the internet on the same day,
2 30 unless filed on a Saturday, Sunday, or after 12 noon on a
2 31 Friday, in which case the information shall be made available
2 32 by 5:00 p.m. on the following business day.

2 33 Any other candidate or committee may submit its campaign
2 34 finance statements of organization, dissolution reports, and
2 35 disclosure reports in an electronic format.

3 1 The bill requires that all reports and statements, to be
3 2 timely filed by mail, must be postmarked on or before the
3 3 second day prior to the date that the statement or report is
3 4 required to be filed. This requirement applies only to a
3 5 candidate or candidate's committee for statewide office or the
3 6 general assembly.

3 7 Penalties for the violation of these provisions are set out
3 8 in Code section 68B.32D, ranging from a public reprimand to a
3 9 \$2,000 fine.

3 10 The election filing portions of the bill apply January 1,
3 11 2008, to newly formed committees of a candidate for statewide
3 12 office or for the general assembly and apply to all such
3 13 committees on January 1, 2010.

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